

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

**RECEIVED**  
DATE 2-1-08

Första AP-fonden *et al.*,

Plaintiffs,

v.

Vivendi Universal, S.A., Jean Marie Messier,  
and Guillaume Hannezo,

Defendants.

Civil Action No. 07 Civ. 11628 (RJH)

Related to No. 02 Civ. 5571 (RJH)

Motion to Admit Counsel Pro Hac Vice

PURSUANT TO RULE 1.3(c) of the Local Rules of the United States District Courts for the Southern and Eastern Districts of New York, I, Leslie M. Kelleher, a member in good standing of the bar of this Court, hereby move for an Order allowing the admission pro hac vice of

Applicant's Name: Nathan D. Finch  
Firm Name: Caplin & Drysdale, Chartered  
Address: One Thomas Circle, N.W.  
City/State/Zip: Washington, D.C. 20005  
Telephone/Fax: (202) 862-7801 / (202) 429-3301

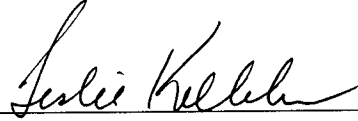
FILED  
U.S. DISTRICT COURT  
S.D. OF N.Y.  
2008 FEB -4 PM 10:26

Nathan D. Finch is a member in good standing of the Bar of the State of Virginia and the District of Columbia Bar. There are no pending disciplinary proceedings against Nathan D. Finch in any State or Federal Court.

- 2 -

Dated: January 29/2008  
City, State: Washington, D.C.

Respectfully submitted,



Leslie M. Kelleher  
SDNY Bar. No. LK5943  
Caplin & Drysdale, Chartered  
375 Park Avenue, 35<sup>th</sup> Floor  
New York, New York 10152-34500  
Phone: (212) 319-7125  
Fax: (212) 644-6755

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

Första AP-fonden *et al.*,

Plaintiffs,

v.

Vivendi Universal, S.A., Jean Marie Messier,  
and Guillaume Hannezo,

Defendants.

Civil Action No. 07 Civ.11628 (RJH)

Related to No. 02 Civ. 5571 (RJH)

Affidavit of Leslie M. Kelleher in  
Support of Motion to Admit Counsel Pro  
Hac Vice

State of New York       )  
                                  ) ss:  
County of New York     )

Leslie M. Kelleher, being duly sworn, hereby deposes and says as follows:

1. I am Leslie M. Kelleher, counsel for Första AP-fonden *et al.*, in the above-captioned action. I make this statement based on my personal knowledge of the facts set forth herein and in support of Plaintiff's motion to admit Nathan D. Finch as counsel pro hac vice to represent Plaintiff in this matter.
2. I am a member in good standing of the Bar of the State of New York, and was admitted to practice law in 1989. I am also admitted to the Bar of the United States District Court for the Southern District of New York, and am in good standing with this Court.
3. I have known Nathan D. Finch since May of 2005.
4. Mr. Finch is a Member at Caplin & Drysdale, Chartered, in Washington, D.C.
5. I have found Mr. Finch to be a skilled attorney and a person of integrity. He is experienced in Federal practice and is familiar with the Federal Rules of Procedure.
6. Accordingly, I am pleased to move the admission of Nathan D. Finch, pro hac vice.

7. I respectfully submit a proposed order granting the admission of Nathan D. Finch, pro hac vice, which is attached hereto as Exhibit A.

WHEREFORE it is respectfully requested that the motion to admit Nathan D. Finch, pro hac vice, to represent Första AP-fonden *et al.* in the above-captioned matter, be granted.

Dated: January 29, 2008  
City, State: Washington, D.C.

Respectfully submitted,



---

Leslie M. Kelleher  
SDNY Bar No. LK5943



District of Columbia Court of Appeals  
Committee on Admissions  
500 Indiana Avenue, N.W. — Room 4200  
Washington, D. C. 20001  
202 / 879-2710

I, GARLAND PINKSTON, JR., Clerk of the District of Columbia Court of Appeals, do hereby certify that

Nathan D. Finch

---

was on the 10<sup>th</sup> day of September, 1993  
duly qualified and admitted as an attorney and counselor and  
entitled to practice before this Court and is, on the date  
indicated below, an active member in good standing of this Bar.

In Testimony Whereof, I have  
hereunto subscribed my name  
and affixed the seal of this  
Court at the City of  
Washington, D.C., on January  
18, 2008.

GARLAND PINKSTON, JR., CLERK

By:   
Deputy Clerk

Howard W. Martin, Jr., President  
Crenshaw, Ware & Martin, P.L.C.  
1200 Bank of America Center  
Norfolk, VA 23510-2111  
Telephone: (757) 623-3000

Manuel A. Capsalis, President-elect  
Capsalis, Bruce & Reaser, P.L.C.  
2200 Wilson Boulevard, Suite 800  
Arlington, VA 22201  
Telephone: (703) 358-9620

George W. Chabalewski  
Bar Counsel



# Virginia State Bar

Eighth and Main Building  
707 East Main Street, Suite 1500  
Richmond, Virginia 23219-2800  
Telephone: (804) 775-0500

Facsimile: (804) 775-0501 TDD: (804) 775-0502

Karen A. Gould  
Executive Director and  
Chief Operating Officer

Mary Yancey Spencer  
Deputy Executive Director

Elizabeth L. Keller  
Assistant Executive Director  
for Bar Services

Susan C. Busch  
Assistant Executive Director  
for Administration

*January 17, 2008*

## ***CERTIFICATE OF GOOD STANDING***

***THIS IS TO CERTIFY THAT NATHAN DAVID FINCH IS AN ACTIVE  
MEMBER OF THE VIRGINIA STATE BAR IN GOOD STANDING. MR.  
FINCH WAS LICENSED TO PRACTICE LAW IN VIRGINIA ON OCTOBER  
1, 1992, AFTER SUCCESSFULLY PASSING THE BAR EXAMINATION  
GIVEN BY THE VIRGINIA BOARD OF BAR EXAMINERS.***

***SINCERELY,***

**KAREN A. GOULD  
EXECUTIVE DIRECTOR AND  
CHIEF OPERATING OFFICER**



### CERTIFICATE OF SERVICE

I declare under penalty of perjury that on January 29, 2008, I served a copy of the MOTION TO ADMIT COUNSEL PRO HAC VICE with the Admissions Clerk of the United States District Court for the Southern District of New York, by overnight delivery. I also caused copies of the same, and of this Certificate of Service, to be served on the following parties by the means indicated below:

Via Federal Express to:

Morris A. Bowie, II, Esq. Richard M. Lorenzo, Esq. James G. Szymanski, Esq. Day Pitney, LLP. 875 Third Avenue 28 <sup>th</sup> Floor New York, NY 10022	Martin L. Perschetz, Esq. Einat Philip, Esq. Michael E. Swartz, Esq. Schulte Roth & Zabel, LLP 919 Third Avenue New York, NY 10022
Lisa Albert, Esq. Michael J. Malone, Esq. King & Spalding, LLP. 1185 Avenue of the Americas New York, NY 10036	Jonathan D. Polkes, Esq. James W. Quinn, Esq. Penny P. Reid, Esq. Weil, Gotshal & Manges LLP 767 Fifth Avenue New York, NY 10023
Timothy G. Cameron, Esq. Michael T. Reynolds, Esq. Paul C. Saunders, Esq. Daniel Slifkin, Esq. Cravath, Swaine & Moore LLP 825 Eighth Avenue New York, NY 10019	Michael E. Elsner, Esq. Joseph F. Rice, Esq. Ann K. Ritter, Esq. Motley Rice LLC 28 Bridgeside Boulevard P.O. Box 1792 Mount Pleasant, SC 29465
William H. Narwold, Esq. Ingrid L. Moll, Esq. Motley Rice LLC One Corporate Center 20 Church Street, 17 <sup>th</sup> Floor Hartford, CT 06103	

- 2 -

A handwritten signature in black ink, reading "Denise A. Tolbert". The signature is written in a cursive style with a horizontal line underneath.

Denise A. Tolbert  
Caplin & Drysdale, Chartered  
1 Thomas Circle, NW  
Washington, DC 20005  
(202) 862-5000  
(202) 429-3301 (facsimile)



# **EXHIBIT A**

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

Första AP-fonden *et al.*,

Plaintiffs,

v.

Vivendi Universal, S.A., Jean Marie Messier,  
and Guillaume Hannezo,

Defendants.

Civil Action No. 07 Civ. 11628 (RJH)

Related to No. 02 Civ. 5571 (RJH)

Order for Admission Pro Hac Vice on  
Written Motion

Upon the motion of Leslie M. Kelleher, attorney for Första AP-fonden et al., and said sponsor attorney's affidavit in support;

IT IS HEREBY ORDERED that

Applicant's Name:	Nathan D. Finch
Firm Name:	Caplin & Drysdale, Chartered
Address:	One Thomas Circle, N.W.
City/State/Zip:	Washington, D.C. 20005
Telephone/Fax:	(202) 862-7801 / (202) 429-3301
Email Address:	ndf@capdale.com

Is admitted to practice pro hac vice as counsel for Första AP-fonden et al., in the above-captioned case in the United States District Court for the Southern District of New York. All Attorneys appearing before this Court are subject to the Local Rules of this Court, including the Rules

governing discipline of attorneys. If this action is assigned to the Electronic Case Filing (ECF) system, counsel shall immediately apply for an ECF password at [nysd.uscourts.gov](http://nysd.uscourts.gov). Counsel shall forward the pro hac vice fee to the Clerk of the Court.

Dated:

City, State:

---

Richard J. Holwell  
United States District/Magistrate Judge